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**MAILED**

**FEB 15 2011**

**OFFICE OF PETITIONS**

In re Patent of Stefandi	:	
Patent No. 5,898,063	:	
Issue Date: April 27, 1999	:	Decision on Petition
Application No. 08/802,202	:	
Filing Date: February 18, 1997	:	
Attorney Docket No. 74626-00009	:	

This is a decision on the petition under 37 CFR 1.378(c), filed December 17, 2010, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

35 U.S.C. 41(b) states,

Unless payment of the applicable maintenance fee is received in the United States Patent and Trademark Office on or before the date the fee is due or within a grace period of 6 months thereafter, the patent will expire as of the end of such grace period.

35 U.S.C. 41(c)(1) requires any petition to accept an unintentionally delayed maintenance fee to be filed "within twenty-four months after the six-month grace period."

37 CFR 1.378(c) requires any petition to accept an unintentionally delayed maintenance fee to "be filed within twenty-four months after the six-month grace period provided in § 1.362(e)."

37 CFR 1.362(e) states the six-month grace period to pay the 7.5 year maintenance fee ends on the day of the 8th anniversary of the issuance of the patent.

The last day of the six-month grace period to pay the 7.5 year maintenance fee in this case was April 27, 2007. The petition was not filed within twenty-four months of April 27, 2007. Therefore, the petition is untimely.

Since the petition is dismissed, petitioner may request a refund of the maintenance fee and surcharge. Any request for a refund should be sent to: Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. A copy of this decision should accompany any request for refund.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', is positioned above the printed name.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions